

Upper Yuba River Studies Program Yuba City Public Meeting

September 16, 1999
7:00 p.m. – 9:00 p.m.

Transcript of Question and Response Session

Participants: Terry Mills – CALFED

Dave Munro – Skippers Cove Marina

Shawn Garvey – South Yuba River Citizens League

Mike Fitzwater- California Sport Fishing Protection Alliance

Julie Tupper – U.S. Forest Service

Les Nicholson – Nevada Irrigation District

Tim Feller – Citizens Allied Against Lake Englebright Destruction

Walter Yep -- Army Corps of Engineers

Bonnie Nixon -- Public Affairs Management -- Meeting Facilitator

QUESTION: How does the Wild & Scenic River Designation (SB 496) on the South Fork of the Yuba River effect this process? Will it effect any potential attempts to restore habitat in the Upper Yuba that may result from this process?

ANSWER: The bill as signed by the Governor would take affect on January 1, 2000. The bill doesn't have a mandate for restoration or anything like that. It does stop State funding of dam projects on 39 miles of the south Yuba River. So in terms of the studies program, I'm not sure there's much relationship. Regarding the part of the question about whether or not it would prevent alterations to the riverbed, that's an interesting question. I don't know the answer to that.

ANSWER: Let me shed a little bit of light on that. If in fact it's found that there is adequate habitat, and fish are going to be allowed into the south fork of the Yuba; and if the presence of fish on the south fork above Englebright, requires modification to downstream federal facilities, or upstream federal facilities that have FERC licenses for hydropower; it must meet the test for Wild and Scenic Rivers through the NEPA process. If the restoration of habitat is considered an enhancement, then they would embrace it. If it affects the OR values, that's the values under which it was designated, then it would have a negative impact. So it'll have to meet that test throughout the studies to determine whether the, additional water or the introduction of fish is going to have an affect on what that river was designated for. Frankly, I don't see that happening. It would probably be an enhancement.

QUESTION: At earlier meetings, there were questions regarding the topography of the existing lakebed (the historic river channel) not supporting the plans for introducing fish beyond the lake were mentioned. This would seem like a fairly easy study to provide since currently scientists can map the ocean floor. Has this study been done, or is it planned? If not, why not? Couldn't this study identify debris deposits and waterfalls?

ANSWER: No, this study hasn't been done. Yes this study is planned. Yes, this study will be done. Yes those results will be found.

QUESTION: If salmon are introduced, how do you plan to cool the south fork of the Yuba River? In the summer when the salmon are here, the south fork can reach temperatures of 75 to 80 degrees.

ANSWER: That's one of the reasons why we are going to do the habitat evaluations. Certainly, steelhead come up in the fall, and early winter. They hold over and spawn early in the spring and their young are able to emerge from the gravel. Typically, on other streams juveniles handle warmer temperatures by migrating into the cold tributary. For steelhead, warm summer temperatures in the south fork may be less of a consideration. Spring run Chinook salmon on the other hand come in February, March and April and they over summer. So an essential component of their habitat is cool deep-water pools so that they can over summer. If there's no cool deep pools on the south fork, that may not prove to be beneficial habitat for spring run. I'm not sure what the conditions would be on the middle fork. Certainly, adult spring run Chinook salmon need deep cool pools during the summer. Spring run juveniles, on the other hand, are like steelhead and they will migrate into the smaller, cooler tributaries to rear for maybe one or two years before they begin their migration to the ocean.

QUESTION: If the purpose of this study is about the introduction of fish, why can't steelhead and spring run Chinook salmon be transported from the Oroville Fish Hatchery and planted into the Yuba?

ANSWER: What we're trying to do is restore wild, natural spawning populations of spring run Chinook salmon and steelhead trout. At Oroville Hatchery, we have what we call an introgressed population of spring run Chinook. This means over the years, because of the way the hatchery's been operated, that spring run Chinook salmon and fall run Chinook salmon had been interbred at the hatchery. As a result, we don't have pure spring run there, so that stock wouldn't be suitable for re-introduction. Likewise, there's been a lot of steelhead stocks brought in from Washington and Oregon for hatchery propagation purposes. It's very likely that the steelhead propagated at Oroville hatchery are of a stock that we don't

particularly want to introduce. Therefore we wouldn't consider introducing them into the waters.

We are conducting a wide variety of genetic studies on all Chinook stocks in the Central Valley. We've identified that the Yuba River and some other streams have pure spring run Chinook salmon that would serve as a founder stock.

QUESTION: Why have you changed the wording from re-introduction of salmon to introduction of salmon into the upper Yuba River?

ANSWER: We can all provide our view on how that happened. The Workgroup did not have agreement that we were trying to re-introduce fish. We didn't feel that we had the information at this time to really justify or validate any historical records. However, we did feel it was worthwhile to evaluate habitat to see if we could introduce the fish. Introduce was a term that we could all agree on.

QUESTION: Before dams and levees, the riverbeds and deltas as well as the valley's natural and seasonal wetlands were flushed and reformed regularly by flooding river flows. Won't a lack of water control on the upper reaches of the rivers that feed the delta create major problems with CALFED's delta restoration projects?

ANSWER: One of the keys in the Ecosystem Restoration Program is to try to restore or mimic natural ecological functions and processes to the degree possible. This is particularly difficult given the fact that we are now dealing with a highly developed and controlled system. For the Yuba River, during the higher flow events, it appears that Englebright is basically a run of the river dam that really doesn't hold back a tremendous amount of water. It's operation really wouldn't influence the magnitude of flows that actually reach the delta.

QUESTION: What are the causes of salmon and steelhead mortality? What are there relative levels of magnitude in the 90's? What is CALFED doing to do to address the fish mortality in each of the mortality areas?

ANSWER: This is a very extensive question, but briefly mortality occurs in Chinook life cycle from the time the eggs are deposited in the gravel until the time the fish emerge as young fry. Mortality occurs during their migration to the ocean and mortality occurs in the ocean primarily as a result of sport and commercial harvest. There is also a minimal amount or an un-quantified predation by sea lions and harbor seals. In some situations adult fish have problems returning back to the streams from which they came.

It appears that the greatest sources of mortality are those that occur to young fish before they enter the ocean. That includes flow fluctuations, water temperatures, predation by other fish, such as American shad or striped bass and diversions and unscreened agricultural diversions. There are also indications that contaminants in the valley may also be a serious problem. Right now water pollution as a source of fish mortality is under consideration, under evaluation.

QUESTION: I have a question for Shawn. At more than one public meeting you expressed anxiety over the plight of the fishermen in Arcata and other North Coast towns who are out of work or on welfare because of the depletion of salmon. Do you feel the same degree of anxiety for loggers in Nevada County and in the northwest who are out of work or on welfare because of endangered species such as the spotted owl?

ANSWER: Yes. The person who wrote that knows that in the same sentence where I talk about the difficulty north coast fisherman are having, I also mention many of the organizations that are on the River Team that have constituents who are losing their jobs here because of declining species. I also talk about the difficulty locally because of the effect this action has on local property owners. Some of them have experienced a very real loss in property value over the short term simply because of the discussion and dialogue about this issue. Potential re-introduction or introduction or restoration of salmon and steelhead would quite likely impact forestry practices above the dam as well, and that would be of some concern and that's certainly why it's in the study process.

ANSWER: I'd like to say something as well. One of CALFED's major goals in terms of ecosystem restoration is to implement programs to help prevent declining species from declining further and becoming listed species. It's also a major goal to contribute or to actually achieve the recovery of listed species. It's interesting to note that when the National Marine Fishery Service listed spring run Chinook salmon last week on the Federal Endangered Species List, they had originally proposed that it would be an endangered species.

Because of the efforts of local landowners, farmers and ranchers on Butte Creek, in working with the State and Federal agencies, there has been some tremendous progress made in habitat restoration. In that project, there was water exchanges made, dams were removed, fish ladders were constructed, and as a result, spring run Chinook salmon populations on Butte Creek improved. Fish population, which had ranged from 50 to 100 fish, suddenly jumped up to over 20,000.

Because of the efforts to restore spring run Chinook salmon on Butte Creek, the National Marine Fishery Service decided they didn't need to

list it as an "endangered" species, but gave it a lower classification. They listed it as "threatened" with the idea that continued efforts and successes that were showing up on Butte Creek could lead to it's removal from the endangered species list relatively soon.

QUESTION: Please consider the court testimony and records of the Army Corps of Engineers, which indicated that there were numerous waterfalls 25 to 50 feet high on the upper Yuba River. They also testified that there were narrows before hydraulic mining. Therefore, one may doubt the existence of original habitat of salmon and steelhead before hydraulic mining. How will this be considered?

ANSWER: Actually, if I could, I've never heard the Corps testify to that. The studies that we have identified show that as a very specific objective. There is anecdotal evidence of salmon in the upper reaches of the Yuba River. In the autobiography of Major Downie, who came across California and the Sierras in 1848 and 1849, he writes about catching 20 pounders out of the north Yuba River near the present day location of Downieville. I believe there are PG&E records from 1935, '36, '37, that show salmon being caught at the current location of new Bullard's Bar Reservoir.

ANSWER: I want to add something to that. The language we used in the Workgroup was, "to study natural and artificial barriers".

QUESTION: Here are a couple of questions regarding water storage supply. The Department of Water Resources has stated in the year 2003 that the state will be 3,000,000 acre-feet short of water in a normal rain fall year. If this is true, how will the state have enough water if dams that are already here are taken down? Les (Nicholson) would you like to address the water supply qualities of the lake?

ANSWER: The issue of water supply in the State of California is one that has been struggled with for a long time, and will continue to be struggled with. Englebright Dam and the Upper Yuba River has already been identified as not having a great effect on water supplies in the State Water Project.

In fact, one of CALFED's responsibilities is to take a look at water reliability, water quality and water supply throughout the State. Specifically this means the improved use of water through efficiency, use and storage.

ANSWER: I want to point out that CALFED is not trying to solve California's long-term water supply problems. CALFED is focused on more short-term water storage solutions. That means that CALFED is looking 25 or 30 years out. CALFED is looking at a variety of ways to make the existing water that's being used, used more efficiently. There are opportunities in

some storage basins, there is surplus water that could be transferred, that could provide ecological benefits during the transfer and then could contribute to urban or agricultural water supplies. CALFED is trying to put together a very comprehensive water management strategy to meet a whole variety of purposes including ecosystem restoration, water quality and to contribute to some of the water deficits, particularly south of the delta.

QUESTION: In the past, CALFED mentioned off-site water storage. Have they ruled out Waldo? if so, why? I feel this project will give some flood control and a little more water storage for California's future needs.

ANSWER: During this process, CALFED has looked at approximately 60 potential reservoir sites. I wasn't involved in the screening process, but it was a very detailed approach to looking at these 60 reservoir sites to decide which ones might be carried forward into the current program. Out of the original 60, based on a set of criteria, Waldo did not pass the cut and right now CALFED is looking at I believe 12 off site storage locations. Two of these projects include the potential raising of Shasta and Friant Dams.

QUESTION: Friant?

ANSWER: Friant dam is down near Fresno, and Shasta Dam. Waldo was not included in the current list of sites that are moving forward for additional evaluations.

QUESTION: The removal of Englebright Dam will mean a loss of power generation which will create a need to burn 5,400,000 gallons of oil per year. Could this be a fatal flaw in the introduction of salmon to the upper Yuba River?

ANSWER: Whether it's a fatal flaw or not is unknown. With the energy market in the State of California now unregulated and opened up, other power supplies can be brought in. Obviously it's going take some additional fuels to offset the loss of the dam. I can't answer whether it's going be a fatal flaw or not. It's certainly going have to be a consideration and we've pointed that out within these studies.

QUESTION: Tim (Feller) these are for you. What economic indicators are being used to assess the value of ecological restoration? Esthetics, potential tourism, the cost of litigation from the challenges to the Endangered Species Act?

ANSWER: Well, I could say I don't know. Honestly, we were informed that there have been similar processes that have been undertaken in other areas of the United States where this type of situation has occurred. So one of the goals of the group here would be to make sure that we get a qualified

individual that has the credentials that could actually take a look at making those type of appraisals and assessments.

QUESTION: It was stated by Dave at the Nevada City meeting, that he insisted, “for me and my customer to be made whole if Englebright was destroyed”. What will happen to the other property owners, will they be made whole as well?

ANSWER: It was stated by Dave in the Nevada City meeting that all stakeholders be made whole and all stakeholders be made whole soon, should anything detrimental happen to them as a result of this process.

QUESTION: With all the sediment behind the dam, how do you plan to get a true reading on what the real riverbed is or will be?

ANSWER: Well, they can do bathymetric surveys, and some seismic soundings. This allows you to look at the actual velocities of the rock at streambed level and do a profile and cross-section. That’ll be done in conjunction with doing the probing, chemical analysis and profile analysis of the sediments.

QUESTION: Do you want to add?

ANSWER: Yes. I spent some time with Charlie Alpers from USGS this morning. I was showing him the lake. We talked about what kind of equipment they have, and what kind of equipment they need to make an assessment of the sediments behind the dam and the profile of the historic river channel. They will require topographic maps made prior to the construction of the dam.

QUESTION: Fishermen have seen the riverbeds continue to rise on the Yuba and Feather Rivers, after dredging and removal of sand and gravel of the riverbeds were curtailed. This is a flood threat. Is CALFED going to include dredging and mining of sand and gravel as a part of the study?

ANSWER: Yes, potential dredging and mining of gravel is part of the study.

ANSWER: If that happens, anyone who wants to dredge would have to get a permit.

QUESTION: Englebright Dam during the 1997 flood rose from 47 to 50 feet in the first 24 hours of the flood wave. Will this be considered as part of the flood control study?

ANSWER: Actually, Englebright was built as a debris dam, not necessarily a flood control dam. It's not a major flood control facility right now on the Yuba, and maybe that's the best answer I can give you right now. Let me add

on to that. I came here tonight to listen and to sit out there, and since I took part last year in the policy decision to make this collaborative, I thought I just came, you know, to listen and I'm impressed so far.

QUESTION: Why was the Yuba River the prime target for the CALFED project? It Seems as though the Wild and Scenic River designation (SB 496) was the first step, and decommissioning of Englebright Dam is the second step? Flood control for people below Yuba River should be an uppermost consideration and should be considered more than species restoration? Isn't human safety a higher priority and will humans receive a higher priority than critters?

ANSWER: Certainly, one of the underlying principles in this process is human health and safety. CALFED is not a flood control agency. That lies primarily with the Corps of Engineers, Department of Water Resources, Reclamation Districts and local flood control districts. We're doing feasibility studies. We don't know whether we have a project or not. As part of the feasibility studies we certainly need to look at the role Englebright Dam plays in flood protection. We need to look at potential sediment releases may impact the lower river. Those things will be evaluated. At the end of the process we'll have the information to make a reasoned judgment as to whether we actually have any kind of feasible project or not regarding the introduction of salmon and steelhead to the upper river.

QUESTION: I heard Terry say that we do not have true spring run Chinook salmon. Then I heard Butte Creek went from 50 to 100 fish to 20,000. Is Butte Creek no longer on the Feather?

ANSWER: Butte Creek has one of the most complex flow patterns of any stream within the Central Valley. Primarily, fish enter Butte Creek through the Sutter Bypass, so its pretty far down in the system. The hatchery typically marks a very large number of salmon that they release. Primarily, those marked salmon return to the hatchery and in the last seven years, we've not seen any fish stray from the hatchery. We believe that the fish that enter lower Butte Creek are indeed Butte Creek fish, and have virtually no link at all with other Feather River fish that move up to the lower Feather River near the hatchery.

QUESTION: Steelhead and salmon re-introduced in the Yuba in the last few years have there spring run during March and April. Small steelhead released in these months are cannon fodder for the large runs of stripers in the Feather. How can you protect the ones from the Yuba?

ANSWER: That's one of the difficulties we have in the Ecosystem Restoration Program. Striped bass and American shad are not native species. They were introduced from the East Coast in the late 1800's. They did

particularly well. In fact, the striped bass fishery is one of the most popular fisheries within the state. We are driven and concerned by the fact that some native species are listed as threatened and endangered, constraining the way water is used in the system. The solution isn't really apparent. We've had recommendations not to manage for striped bass, that we should do away with them. However, they are an integral component of the ecosystem and we continue to develop and implement other studies to try to evaluate the impact of predation by striped bass on other species.

Certainly the situation is probably better in the Yuba River than say it is on the Sacramento or the American River where even this time of year there's very large populations of striped bass. It is a problem, but it's also something that we may try to evaluate through some of the ongoing fishery studies. Perhaps some of the studies sponsored by the Lower Yuba River Fisheries Technical Group or by the Fish and Wildlife Service or Department of Fish and Game may make an analysis of this. Right now we don't believe the striped bass are a serious predator on the Yuba River. We are concerned that during certain seasons, American shad could be. The question does filter into the equation on how we try to protect and restore these fish. Again it provides additional emphasis to try to expand the range and populations of these particular State and Federally listed species.

QUESTION: What is the fate of Lake Englebright and what is being done to protect it?

ANSWER: You need to understand the process. When the report and study here is done and it is submitted to the CALFED Policy Group, the Policy Group itself doesn't have the authority to change or alter a federal facility without an act of congress. Congress will require, if there was anything as major as taking the dam down or a change in its operation, a formal study including an EIS. The State of California will require an EIR.

QUESTION: When it is said and done, who will have the ultimate say in determining the gravity of these study results? Already many serious concerns requiring study have been publicly acknowledged. Doesn't this fact alone make this project frivolous? Will people count more than fish?

ANSWER: Any decisions will be in the hands of both this administration and future administrations and a future congress.

QUESTION: Would you like to add to that?

ANSWER: I want to try to explain something without getting in trouble. If you look at the options which we outlined you notice that our option list reads from A to Z and soup to nuts and top to bottom. It has a "no action alternative"

as being absolutely one end of the list, and it has a “decommissioning” as being absolutely the other end of the list. The important thing about what’s happening here, versus what happened in Olivehurst and Penn Valley, is that this group of investigation, I don’t even want to call them studies yet, I want to call them investigations, covers every conceivable option. The only way you can have a real investigation and a scientific and complete study or outlook on a study, is to cover everything. If we don’t do that we would be remiss in what we are trying to accomplish.

QUESTION: O.K. Here’s are a few process questions. Why did you schedule presentations in Rocklin and Oakland?

ANSWER: We chose Rocklin, because Rocklin is in Placer County and Placer County gets much of its domestic water supply from NID and what happens in this study might have an effect on Placer County’s domestic water. Therefore, those people are stakeholders.

I think there are two reasons why we chose to have a meeting in Oakland. We have on the River Team, a number of constituency groups who represent coastal fishermen. Quite simply, it was part of the outreach and realization that those are stakeholders in what goes on in the Central Valley and rivers of California since those same rivers provide the salmon populations off the coast. I think that leads to the second reason that we had a meeting in Oakland. That is the acknowledgement that the number of stakeholders in this process, and in the entire CALFED process, is equal to the population of California. We are recognizing that all of these issues have connectivity to everything and everyone in the state.

ANSWER: If, or when, fall run salmon were to be listed as a threatened or endangered species, it would have an impact on the ability to ship water south. A continuing supply of water is a subject which Terry talked about. Shipping water to Los Angeles, San Diego, Santa Barbara and to the San Joaquin farmers makes those people stakeholders in this process. So are the coastal fishermen, and the cities of San Francisco and Sacramento, which at some point may to be impacted by the Endangered Species Act like Seattle and Portland are now. We were all working from the assumption that the impacts were very localized to the Penn Valley/Englebright community. This included the downstream communities and potentially to the upstream communities. I think that it’s been an education process for everyone involved in this, myself included to find that the potential impacts of this endeavor, has a far greater reach than anyone first imagined. That’s what I think the Oakland meeting was about.

QUESTION: Who is actually sponsoring tonight? Who paid for the handouts?

ANSWER: CALFED is sponsoring this. CALFED has provided funding to hire a facilitator. CALFED provides the funds to develop the newsletters. CALFED provides my funding. What CALFED doesn't do is to pay for the time of Dave Munro, Shawn Garvey and some of the other folks.

QUESTION: Why are there no Sutter County citizens classified as stakeholders?

ANSWER: There is a member of the Sutter County Board of Supervisors on the Lake Team, and that member has an alternate who works for Sutter County. I think that answers the question completely.

QUESTION: What are the group's or CALFED's thoughts are on why these meetings have been poorly attended?

ANSWER: Well, from my perspective, I don't feel that the meetings have been poorly attended. In Oakland we may have had 35 or 40 people attend. Certainly, the turnout in Nevada City was very high, I'm not sure what the final count was, but there was probably well over 200 people there. Rocklin may have been a little bit on the light side. I think we may have only had 25 or 30 people there. I thought the turnout at this meeting would have been much larger than it is tonight. Hopefully, there were ads in the papers that local folks got to see. People that signed up at the Penn Valley and Olivehurst meetings were on our mailing lists, and if you had signed up or attended those meetings you should have received a newsletter and a our other CALFED notifications.

My guess would be that there's been in excess of 400 people at the five meetings which I actually think is not poorly attended. First of all we had five meetings rather than one. Had we had only one meeting we would have filled this place. There may be another explanation as well. We're working on a difficult process, but it's collaborative right now and we're working together so there aren't a lot of fireworks. People who don't usually work together, are. Now I sit down at a table with Curt Aikens from the Yuba County Water Agency, and we're not in the habit of working together, but now we do. We're actually talking, we're having dialogue. It's helpful for my organization to have that dialogue with Curt and I think for his organization to have that with us. This entire thing is helping us to have reasonable conversations in which we try to understand a little bit about what the other side's position is. In the big picture, I think that's boring. I suspect that would be my answer, is that we're working together and it's kind of boring

QUESTION: When considering flood prospects, is it possible to consider flood prospects in a possible light instead of a "do no harm" attitude towards downstream flooding? If the levee were to break, do you know how deep the water would be?

ANSWER: Whatever the height of the water is and the height of that levee, is the answer to the second part. We're concentrated on the down stream areas. The '86 flood, Lindhurst/Olivehurst took a long time to get to, but just last month congress authorized something like about \$35,000,000 to strengthen the levees around the Lindhurst/Olivehurst area and along the Feather River. The Corps is proceeding with a study of the Sutter Basin which was impacted in '95 and '97, so we're looking at the lower, populated part of the river.

ANSWER: I'd like to take this opportunity to make sure everybody in this room votes in March for the water bond. Supervisor Izzy Martin from Nevada County, and Brent Hasty from Yuba County, and many other people including John Regan who's SYRCL's campaign manager, worked night and day to get \$90,000,000 into the State water bond for flood control for Yuba and Sutter County. That was a collaborative effort between two parties that don't normally work together. I think it's important to realize that, that \$90,000,000 probably wouldn't have been allocated had it not been for the collaboration. This is an historic level of funding to the Yuba/Sutter area for flood control. I think it underscores the point that everyone is interested in protecting human life and property. I can urge you to vote, but I can't tell you how, but I'm gonna urge you to vote next March for the water bond because it really is the culmination of a lot of work.

IF you haven't seen the bill, it's on the Internet.

QUESTION: If Englebright Dam were taken down now and we had another winter rain season like '98, how would the levee system around Marysville and Yuba City hold up compared to a season with the dam?

ANSWER: I really think that question is way too hypothetical and is jumping too far out into the future. We're not really dealing with what if's, we're trying to collect real concrete data to make some evaluations.

QUESTION: Walter (Yep) do you want to respond?

ANSWER: If the option to take down Englebright became serious and was being promoted ahead of the other options, surely hydraulic impacts down stream will be addressed. Somebody has to address it, because congress will not allow a federal facility to be torn down and potentially jeopardizing safety downstream.

QUESTION: What is the current economic dollar amount of recreational activity on Englebright Lake and how many private businesses are on the lake?

ANSWER: I can answer part of that question for you but I can't answer the whole question. There are two private businesses on the lake. There are a lot more private businesses in the area that depend on the lake. The economic dollar impact on the lake, I don't know the answer because it includes federal facilities, state facilities, private facilities and we don't have that information. That's what the studies are for.

FACILITATOR: As I mentioned, this whole panel, they are stakeholders. I know that you may feel that you want to come at them with a lot of your concerns and we'd like to have them written down. If the comments and questions are written down, they can bring them back to large workgroup and discuss them.

Thank you for your participation in tonight's meeting.